

MESSAGE NO: 5314112 MESSAGE DATE: 11/10/1994

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: PRE-Preliminary PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-462-106

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 11/07/1994 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: PRELIMINARY DETERMINATION OF SALES AT LESS THAN FAIR VALUE &
CRITICAL CIRCUMSTANCES : ALLOY MAGNESIUM FM THE RUSSIAN FEDERATION (A-462-
106)

MESSAGE NO: 5314112

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CASES: A - 462 - 106

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PERIOD COVERED: 11 07 1994 TO

LIQ SUSPENSION DATE:

TO: REGIONAL DIRECTORS, COMMERCIAL OPERATIONS

DISTRICT DIRECTORS, AREA AND PORT DIRECTORS

FROM: DIRECTOR, TRADE COMPLIANCE DIVISION

RE: PRELIMINARY DETERMINATION OF SALES AT LESS THAN FAIR
VALUE & CRITICAL CIRCUMSTANCES : ALLOY MAGNESIUM FM THE
RUSSIAN FEDERATION (A-462-106)

1. THE DEPARTMENT OF COMMERCE PUBLISHED IN THE FEDERAL REGISTER
ON NOVEMBER 07, 1994, ITS PRELIMINARY DETERMINATION OF SALES AT
LESS THAN FAIR VALUE IN THE ANTIDUMPING DUTY INVESTIGATION OF
ALLOY MAGNESIUM FROM THE RUSSIAN FEDERATION.

2. THE PRODUCT COVERED BY THIS INVESTIGATION IS ALLOY PRIMARY
MAGNESIUM REGARDLESS OF CHEMISTRY, FORM OR SIZE, UNLESS EXPRESSLY
EXCLUDED FROM THE SCOPE OF THIS INVESTIGATION. PRIMARY MAGNESIUM

IS A METAL OR ALLOY CONTAINING BY WEIGHT PRIMARILY THE ELEMENT MAGNESIUM AND PRODUCED BY DECOMPOSING RAW MATERIALS INTO MAGNESIUM METAL.

THIS INVESTIGATION COVERS ALLOY PRIMARY MAGNESIUM PRODUCTS WHICH CONTAIN 50% OR GREATER, BUT LESS THAN 99.8%, PRIMARY MAGNESIUM, BY WEIGHT. PRODUCTS WITH THE AFORE-MENTIONED PRIMARY MAGNESIUM CONTENT, BUT DO NOT CONFORM TO ASTM SPECIFICATIONS OR OTHER INDUSTRY OR CUSTOMER-SPECIFIC SPECIFICATIONS, ARE INCLUDED IN THE SCOPE OF THIS INVESTIGATION. IN ADDITION TO PRIMARY MAGNESIUM, "ALLOY" MAGNESIUM GENERALLY CONTAINS ONE OR MORE OF THE FOLLOWING ITEMS IN AMOUNTS LESS THAN THE PRIMARY MAGNESIUM ITSELF: (1) OTHER ELEMENTS DELIBERATELY ADDED TO THE PRIMARY MAGNESIUM; (2) MAGNESIUM SCRAP OR SECONDARY MAGNESIUM; (3) OXIDIZED MAGNESIUM; AND (4) OTHER ELEMENTS PRESENT AS IMPURITIES.

ALLOY PRIMARY MAGNESIUM IS CAST AND SOLD IN VARIOUS PHYSICAL FORMS AND SIZES, INCLUDING INGOTS, SLABS, ROUNDS, BILLETS, AND OTHER SHAPES.

EXCLUDED FROM THE SCOPE OF THIS INVESTIGATION ARE PRIMARY MAGNESIUM ANODES, GRANULAR PRIMARY MAGNESIUM (INCLUDING TURNINGS AND POWDER), AND SECONDARY MAGNESIUM.

GRANULAR MAGNESIUM, TURNINGS, AND POWDER ARE CURRENTLY CLASSIFIABLE UNDER THE HTSUS SUBHEADING 8104.30.00. MAGNESIUM GRANULES AND TURNINGS (ALSO REFERRED TO AS CHIPS) ARE PRODUCED BY GRINDING AND/OR CRUSHING PRIMARY MAGNESIUM AND THUS HAVE THE SAME CHEMISTRY AS PRIMARY MAGNESIUM. ALTHOUGH NOT SUSCEPTIBLE TO PRECISE MEASUREMENT BECAUSE OF THEIR IRREGULAR SHAPES, TURNINGS OR CHIPS ARE TYPICALLY PRODUCED IN COARSE SHAPES AND HAVE A MAXIMUM LENGTH OF LESS THAN 1 INCH. ALTHOUGH SOMETIMES PRODUCED IN LARGER SIZES, GRANULES ARE MORE REGULARLY SHAPED THAN TURNINGS OR CHIPS, AND HAVE A TYPICAL SIZE OF 2MM IN DIAMETER OR SMALLER.

POWDERS ARE ALSO PRODUCED FROM GRINDING AND/OR CRUSHING PRIMARY MAGNESIUM AND HAVE THE SAME CHEMISTRY AS PRIMARY MAGNESIUM, BUT ARE EVEN SMALLER THAN GRANULES OR TURNINGS. POWDERS ARE DEFINED BY THE SECTION NOTES TO SECTION XV, THE SECTION OF THE HTSUS IN WHICH SUBHEADING 8104.30.00 APPEARS, AS PRODUCTS OF WHICH 90% OR MORE, BY WEIGHT, WILL PASS THROUGH A SIEVE HAVING A MESH APERTURE OF 1MM. (SEE HTSUS, SECTION XV, BASE METALS AND ARTICLES OF BASE METALS, NOTE 6(B).) ACCORDINGLY, THE EXCLUSION OF MAGNESIUM TURNINGS, GRANULES, AND POWDER FROM THE SCOPE INCLUDES PRODUCTS HAVING A MAXIMUM PHYSICAL DIMENSION (I.E., LENGTH OR DIAMETER) OF 1 INCH OR LESS.

THE PRODUCT SUBJECT TO THIS INVESTIGATION IS CURRENTLY CLASSIFIABLE UNDER SUBHEADINGS 8104.19.00 AND 8104.20.00 OF THE HTSUS. ALTHOUGH THE HTSUS SUBHEADINGS ARE PROVIDED FOR CONVENIENCE AND CUSTOMS PURPOSES, THE WRITTEN DESCRIPTION OF THE SCOPE IS DISPOSITIVE.

3. FOR FURTHER REPORTING PURPOSES, THIS INVESTIGATION HAS BEEN ASSIGNED DOC CASE NUMBER: (A-821-806). FOR CUSTOMS PURPOSES ONLY, THIS CASE HAS BEEN ASSIGNED THE FOLLOWING ID NUMBER: (A-462-106).

4. THE U.S. CUSTOMS SERVICE SHALL SUSPEND LIQUIDATION OF ALL ENTRY SUMMARIES OF ALLOY MAGNESIUM FROM THE RUSSIAN FEDERATION, EXCEPT THOSE THAT ARE SALES BY GERALD METALS, SMW, OR ANY OTHER EXPORTER LOCATED IN RUSSIA, THAT ARE ENTERED OR WITHDRAWN FROM WAREHOUSE FOR CONSUMPTION ON OR AFTER AUGUST 09, 1994, 90 DAYS BEFORE THE PUBLICATION OF THIS NOTICE IN THE FEDERAL REGISTER. EFFECTIVE AUGUST 9, 1994, CUSTOMS SHALL REQUIRE A CASH DEPOSIT OR BOND FOR SUCH ENTRY SUMMARIES OF THE SUBJECT MERCHANDISE ACCORDING TO THE FOLLOWING SCHEDULE:

MANUFACTURER/ EXPORTER	CUSTOMS ID NUMBER	MARGIN PERCENTAGE
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ALL THIRD COUNTRY

EXPORTERS/RESELLERS	A-462-106-001	107.89%
GERALD METALS	A-462-106-002	0.00%
SMW	A-462-106-003	0.00%
W&O BERGMANN GMBH	A-462-106-004	107.89%
DEREK RAPHAEL & CO	A-462-106-005	107.89%
MARCO TRADING	A-462-106-006	107.89%
WOGEN GROUP LTD.	A-462-106-007	107.89%
ALEX	A-462-106-008	107.89%
MAGES	A-462-106-009	107.89%
ALL OTHERS	A-462-106-000	0.00%

5. ANY QUESTIONS BY CUSTOMS OFFICERS SHOULD BE DIRECTED VIA E-MAIL, THROUGH THE REGIONAL AD/CVD COORDINATOR, TRADE COMPLIANCE DIVISION, AD/CVD BRANCH, USING ATTRIBUTE "HQ OAB". OTHER INTERESTED PARTIES SHOULD CONTACT ERIK WARGA OR ELLEN GREBASCH, OFFICE OF ANTIDUMPING INVESTIGATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, TELEPHONE (202) 482-0922 AND (202) 482-3773, RESPECTIVELY.

6. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

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Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party